



2021 ASSEMBLY BILL 176

March 23, 2021 - Introduced by Representatives MACCO, STEFFEN, ARMSTRONG, BALDEH, JAMES, KITCHENS, ORTIZ-VELEZ, ROZAR, SKOWRONSKI, SUBECK, TAUCHEN, THIESFELDT, TUSLER, ZIMMERMAN and SINICKI, cosponsored by Senators BERNIER, COWLES, JACQUE, ROYS and L. TAYLOR. Referred to Committee on Criminal Justice and Public Safety.

1 **AN ACT** *to renumber and amend* 66.0501 (1); and *to create* 66.0501 (1) (b) and
2 165.85 (4) (a) 1m. of the statutes; **relating to:** appointment of certain lawfully
3 present aliens as law enforcement officers.

Analysis by the Legislative Reference Bureau

Under current law, no person may be appointed as a deputy sheriff of any county or police officer of any city, village, or town unless that person is a citizen of the United States. This bill allows the sheriff of a county or the appointing authority of a local law enforcement agency to elect to authorize the appointment of aliens who are the subject of a notice of decision from the federal Department of Homeland Security (DHS) granting deferred action under the Deferred Action for Childhood Arrivals program and who are in receipt of a valid employment authorization from the DHS as deputy sheriffs or police officers. The bill also prevents the law enforcement standards board from preventing such an alien from participating in a law enforcement preparatory training program.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

4 **SECTION 1.** 66.0501 (1) of the statutes is renumbered 66.0501 (1) (a) and
5 amended to read:

ASSEMBLY BILL 176**SECTION 1**

1 66.0501 (1) (a) ~~No~~ Except as provided in par. (b), no person may be appointed
2 deputy sheriff of any county or police officer for any city, village, or town unless that
3 person is a citizen of the United States. This section does not apply to common
4 carriers or to a deputy sheriff not required to take an oath of office.

5 **SECTION 2.** 66.0501 (1) (b) of the statutes is created to read:

6 66.0501 (1) (b) The sheriff of a county or the appointing authority of a local law
7 enforcement agency that provides police service to a city, village, or town may elect
8 to authorize the appointment of aliens who are the subject of a notice of decision from
9 the federal department of homeland security granting deferred action under the
10 Deferred Action for Childhood Arrivals program of the federal department of
11 homeland security and who are in receipt of a valid employment authorization from
12 the federal department of homeland security as deputy sheriffs for that county or as
13 police officers for that city, village, or town.

14 **SECTION 3.** 165.85 (4) (a) 1m. of the statutes is created to read:

15 165.85 (4) (a) 1m. The board may not create criteria for participation in the
16 preparatory training program under subd. 1. that would prevent a person from
17 participation if the person is the subject of a notice of decision from the federal
18 department of homeland security granting deferred action under the Deferred
19 Action for Childhood Arrivals program of the federal department of homeland
20 security and the person is in receipt of a valid employment authorization from the
21 federal department of homeland security.

22 **(END)**